

Dear Parents and Carers,

The authority have advised parents/carers that there will be no online learning provision on Friday 27<sup>th</sup> January 2023. Therefore I would ask any member of staff not striking on Friday to carry on with preparation and assessments tasks, and faculty improvement priorities.

The authority's updated Frequently Asked Questions are noted below:

Industrial Action – Frequently Asked Questions and Answers

**Q1 Which unions are participating in the strike?**

**A1** Notification of strike action during January has been received from the EIS, AHDS, NASUWT and SSTA as follows:

10<sup>th</sup> January – EIS and NASUWT (primary only) and AHDS

11<sup>th</sup> January – EIS and NASUWT (secondary only) and SSTA

27<sup>th</sup> January – EIS and AHDS.

No other trade union is involved in this action at this time.

**Q2 Which areas of the Council does the strike notification cover?**

**A2** As a result of the strike action, the following schools will be closed to pupils on the dates indicated:

- 10 January 2023- all primary schools and nursery classes (including Windsor Park School primary pupils & the Inclusion & Wellbeing Service primary and secondary pupils) are affected and will be closed to pupils.
- 11 January 2023- all secondary schools (including Windsor Park School secondary pupils & Carrongrange High School) are affected and will be closed to pupils.
- 27 January 2023 - all schools are affected and will be closed to pupils.
- Early Learning and Childcare Centres are not affected on any of these dates.

**Q3 An employee working at one of these locations has annual leave arranged for the day of industrial action – can the annual leave go ahead?**

**A3** If the leave was approved prior to 17<sup>th</sup> November 2022 then it is valid. Applications received after this for the above strike dates for SNCT employees should not be approved. If the industrial action goes ahead then SJC employees who are school based are expected to report for work as normal on these dates or, with the exception of the undernoted term time employee groups, you may elect to take your additional leave day (pro rata) for 2023 (awarded as part of the 2022/23 pay award).

- Cleaning and Catering
- Janitorial
- Early years

**Q4 A trade union member has asked if he/she will be paid if he/she ignores the industrial action and attends work as usual.**

**A4** Any employee who reports for and attends work as normal will be paid as normal, irrespective of trade union membership.

**Q5 What are the implications for pregnant employees who are exempt from the industrial action?**

**A5** We have not obtained an exemption for pregnant employees on this occasion. If a pregnant employee participates in the industrial action, maternity pay may be affected.

Q6 An employee who works job share is due to work on the day of strike action. How much pay will be deducted from the employee's salary if he/she participates in the industrial action?

A6 Any SNCT employee taking part in the industrial action on any of the notified strike dates will have a day's pay deducted calculated based on the SCNT conditions of employment (1/235th). All other employees would be deducted pay in accordance with the number of hours normally worked on the day in question.

Q7 How should strike action be recorded on the flexitime system?

A7 Industrial action should be recorded as credited absence. This does not mean those who were on strike will be paid; it simply ensures that the normal working week is reconciled. Manual timesheets should also indicate "I/A".

Q8 Are any additional dates for industrial action planned?

A8 No other dates have been notified at this time.

Q9 An employee does not want to cross the picket line. What are the implications?

A9 Any employee not participating in industrial action at one of the participating schools/ locations is expected to report for and attend work as usual. Any employee based at these locations who is absent on a strike day without approval (e.g. approved annual leave, medical certificate) will be assumed to be on strike and therefore not paid for this. On this occasion, no disciplinary action will be taken against any non-trade union member who does not report for work at these locations during the period of industrial action.

Q10 Can an employee based at one of the impacted locations take Carer's Leave or Compassionate Leave on the day of industrial action?

A10 Generally, all leave is suspended on the day of the strike, with the exception of approved annual leave. In the first instance, any employee who does not attend work will be assumed to be on strike. Self-certified sickness absence will not apply for SNCT employees. This means that there will be no entitlement to sick pay unless the SNCT employee is already on sick leave and has a medical certificate to cover the strike period. While regrettable, for pay purposes this is necessary to clarify who is absent due to sickness, and who is taking industrial action. No paid carer's leave will be granted for any of the strike dates for SNCT employees at locations directly impacted by strike action. Also, there is no provision for individuals to be able to bring their children to work on these dates. In exceptional circumstances, managers may approve carer's leave over this period for SJC employees based in an area directly impacted by industrial action. Any employee requiring Compassionate Leave should take the matter up with his/her line manager.

Q11 what is the impact on my Local Government Pension contributions if I take Strike action?

A11 As payment is not made by the Council for any strike days, payment of employer and employee pension contributions cannot be made, which can result in an individual losing pensionable service for that day. Under the SPPA pension's scheme, teachers are unable to buy back the lost day of service. Local Government Pension Scheme members who do not attend work in support of this industrial action can buy back the lost day of service to maintain their pension position. Separate guidance has been issued in relation to how this may be done.

Q12 what happens if I'm scheduled to work from home on any of these dates?

A12 You are required to report for duty at your normal place of work, or as otherwise directed by your manager during a day of strike action. No new working from home requests will be authorised for these dates. If you are currently working under hybrid arrangements and would normally be

working in the office on any of the strike dates, you will be expected to attend your workplace as normal. These arrangements may be subject to review for any future periods of strike action.

Q13 What happens if I work a split shift and therefore report for work for my morning shift but refuse to cross a picket line for my afternoon/ evening shift?

A13 You will be paid for hours worked only and will be treated as though you have taken industrial action for the second part of your shift.

Q14 Will overtime be authorised in the weeks of industrial action?

A14 Overtime will not be authorised to 'catch up' with work not undertaken due to industrial action on these dates. Where you have taken industrial action during this period, enhanced overtime rates will only become payable for authorised overtime when you have actually worked in excess of full-time hours in the weeks beginning 9<sup>th</sup> and 23<sup>rd</sup> January.

Q15 What happens at a picket line?

A15 A picket has no power under law to require other people to stop, or to compel them to listen or to do what they ask them to do. A picket may seek to peacefully explain their case to individuals entering or leaving premises. This may be done by speaking to people, distribution of leaflets or carrying of banners or placards. A person who decides to cross a picket line must be allowed to do so.

If you have any queries please [do not hesitate to contact me](#).

Iain Livingstone